

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LOUIS THOMPSON,

Plaintiff,

v.

DEPARTMENT OF CONSUMER
AFFAIRS STATE OF CALIFORNIA,

Defendant.

No. 2:24-cv-02852 DAD CKD (PS)

ORDER

Plaintiff is proceeding in this action pro se. Plaintiff has requested authority pursuant to 28 U.S.C. § 1915 to proceed in forma pauperis. This proceeding was referred to this court by Local Rule 302(c)(21).

Plaintiff has submitted the affidavit required by § 1915(a) showing that plaintiff is unable to prepay fees and costs or give security for them. Accordingly, the request to proceed in forma pauperis will be granted. 28 U.S.C. § 1915(a).

The federal in forma pauperis statute authorizes federal courts to dismiss a case if the action is legally “frivolous or malicious,” fails to state a claim upon which relief may be granted, or seeks monetary relief from a defendant who is immune from such relief. 28 U.S.C. § 1915(e)(2).

Here, plaintiff’s brief and conclusory allegations do not state a federal claim. He alleges

1 that in 2023 he tried to renew his state-issued green card “and the state cancelled my license,”
2 causing him emotional distress. ECF No. 1 at 5-6. In a supplemental filing, he states that his
3 “security guard registration” was cancelled in an act of negligence, but “once I contacted the state
4 about the matter they reinstated” it. ECF No. 4. The federal courts are courts of limited
5 jurisdiction. In the absence of a basis for federal jurisdiction, plaintiff’s claims cannot proceed in
6 this venue. Because there is no basis for federal subject matter jurisdiction evident in the
7 complaint, plaintiff will be ordered to show cause why this action should not be dismissed.
8 Failure to allege a proper basis for subject matter jurisdiction will result in a recommendation that
9 the action be dismissed.

10 Accordingly, IT IS HEREBY ORDERED that:

- 11 1. Plaintiff’s request to proceed in forma pauperis (ECF No. 2) is GRANTED;
- 12 2. No later than February 26, 2025, plaintiff shall show cause why this action should not
13 be dismissed for lack of subject matter jurisdiction.

14 Dated: February 5, 2025



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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